



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*Jacob K. Javits Federal Building
26 Federal Plaza
New York, New York 10278*

April 10, 2025

VIA ECF

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
500 Pearl St.
New York, NY 10007-1312

Re: *United States v. \$3,435,676.57, et al.*
24 Civ. 9189 (RA)

Dear Judge Abrams:

The Government respectfully submits this letter in response to the Court's Order dated April 8, 2025, instructing the Government to respond to claimants Sparticle Ltd. and Pavel Ezubov's (the "Claimants"), pending motion to dismiss seeking to dismiss the Verified Complaint for Forfeiture filed on February 24, 2025 (the "Motion")(D.E. 24).


On or about March 18, 2025, pursuant to Rule G(6) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the Government served the Claimants with Rule G(6)(a) interrogatories (the "Interrogatories"). Pursuant to Rule G(6)(c), the Government "need not respond to [Claimants'] motion to dismiss the action under Rule G(8)(b) until 21 days after the [Claimants] has answered these [I]nterrogatories." *See, e.g., United States v. \$284,950.00 in U.S. Currency*, 933 F.3d 971, 975 (8th Cir. 2019) ("the district court properly denied [claimant's] motion to dismiss as premature because '[t]he government need not respond to a claimant's motion to dismiss the action under Rule G(8)(b) until 21 days after the claimant has answered these interrogatories,' which he never did.") (citing Fed. R. Civ. P. Supp. R. G(6)(c)).

Under Rule G(6)(b), Claimants' answers or objections to the Interrogatories are due within 21 days of service. Claimants have not yet answered the Interrogatories. On March 27, 2025, Claimants' counsel conferred with the Government, requesting to extend Claimants' time to respond the Interrogatories from April 8, 2025 until April 22, 2025. Based on counsel's representation that Claimants intend to serve substantive and complete responses to those interrogatories that are fairly within the scope of Supplemental Rule G and the Rules more generally, the Government advised counsel that it consents to the extension request.

The Government respectfully proposes that within 21 days of the Government's receipt of Claimants' anticipated April 22, 2025 response to the Interrogatories, the Government will respond to the Motion or make any other appropriate application to the Court resolvable prior to the Motion. *Cf.* Rule 8(c) (motion to strike a claim or answer must be decided before any motion to dismiss the action).

Very truly yours,

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Southern District of New York

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